

Notice of Allowability

Application No.

09/829,339

Examiner

Zeev Kitov

Applicant(s)

CHAN ET AL.

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/08/04.
2. ☒ The allowed claim(s) is/are 1 - 3, 7, 21 - 28, 30 - 33.
3. ☒ The drawings filed on 19 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

Examiner acknowledges a submission of the amendment and arguments filed on June 8, 2004. Claim 29 is deleted. Amendment has overcome rejection under 103(a).

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney, Mr. Arthur Ortega on August 23, 2004.

Please amend Specification page 1, line 3 to page 2, line 4 as follows.

CROSS REFERENCE TO RELATED APPLICATIONS

This application is related to commonly owned application Serial No. ~~To Be Determined~~ 09/812,288, filed March 20, 2001, entitled Circuit Interrupting Device with Reset Lockout and Reverse Wiring Protection and Method of Manufacture, by inventors Steven Campolo, Nicholas DiSalvo and William R. Ziegler, having attorney docket 0267-1415CIP9(41912.015600), which is a continuation-in-part of application Serial No. 09/379,138 filed August 20, 1999, now U.S. Patent No. 6,246,558, which is a continuation-in-part of application Serial No. 09/369,759 filed August 6, 1999, now U.S. Patent No. 6,282,070, which is a continuation-in-part of application Serial No.

09/138,955, filed August 24, 1998, now U.S. Patent No. 6,040,967, all of which are incorporated herein in their entirety by reference.

This application is related to commonly owned application Serial No. ~~To Be Determined~~ 09/812,875, filed March 20, 2001, entitled Reset Lockout for Sliding Latch GFCI, by inventors Frantz Germain, Stephen Stewart, David Herzfeld, Steven Campolo, Nicholas DiSalvo and William R. Ziegler, having attorney docket 0267-1415CIP8 (41912.018100) which is a continuation-in-part of application Serial No. 09/688,481 filed October 16, 2000, all of which are incorporated herein in their entirety by reference.

This application is related to commonly owned application Serial No. ~~To Be Determined~~ 09/813,683, filed March 21, 2001, entitled IDCI With Reset Lockout and Independent Trip, by inventor Nicholas L. DiSalvo, having attorney docket 0267-1415CIP4(41912.017500), herein incorporated by reference.

This application is related to commonly owned application Serial No. ~~To Be Determined~~ 09/812,601, filed March 20, 2001, entitled Neutral Switch Test Mechanism for a Circuit Interrupter, by inventors David Y. Chan, James Richter and Gerald N. King, having attorney docket 0267-1689(41912.017900), herein incorporated by reference.

Please amend Claim 1 as follows.

Claim 1. (Currently Amended) A device for protecting a ground fault circuit interrupter (GFCI) during an over voltage condition wherein a first mode of protection comprises:

a low pass filter circuit having a capacitor coupled in series with ~~the~~ a solenoid coil of the GFCI, said low pass filter connected across ~~the~~ power inputs of the GFCI to pass low frequency voltage signals to the GFCI circuit while blocking high frequency signals.

The following is an examiner's statement of reasons for allowance:

An amended independent Claim 1 discloses a ground fault circuit interrupter, which inter alia, includes following limitations: a low-pass filter circuit having a capacitor coupled in series with the solenoid coil of the GFCI, the low-pass filter connected across the power inputs of the GFCI to pass low frequency voltage signal to the GFCI circuit while blocking high frequency signals. The closest reference for the claim is Muelleman, which discloses some elements of the Claim, such as a device for protecting a ground fault circuit interrupter and filter connected across the power inputs of the GFCI circuit for filtering transient power surges to the surge protector component. However, it does not disclose the low-pass filter formed by the capacitor connected in series with the solenoid coil of the GFCI. That makes all dependent Claims 1 – 3, 7 and 21 – 28 and 30 allowable.

The same limitation is recited over again in the independent Claim 31, thus making Claims 31 – 33 allowable.

Allowability resides, at least in part, in the above-described limitations, which has not been disclosed in the Prior Art in a search.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zeev Kitov whose telephone number is (571) 272-2052. The examiner can normally be reached on 8:00 – 4:30. If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571) 272 – 2800, Ext. 36. The fax phone number for organization where this application or proceedings is assigned is (703) 872-9306 for all communications.

Z.K.
08/23/2004

Stephen W. Jackson
8-23-04

STEPHEN W. JACKSON
PRIMARY EXAMINER